IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3758 OF 2007

Man Industries India Ltd. ..Petitioner.

V/s.

M/s.N.V.Kharote Engineers & Contractors & Anr. ..Respondents.

Ms.R. Menon i/b. Anil Menon & Associates for petitioner.

CORAM: A.M.KHANWILKAR,J

DATE : JULY 4, 2007.

P.C. :

1. Heard counsel for the petitioner.

2. Counsel for the petitioner submits that nothing survives for consideration in the present petition as the suit itself has been disposed of. Accordingly, this petition is dismissed with liberty to the petitioner to raise all contentions available with regard to the correctness of the order refusing to permit amendment which is impugned in this petition before appropriate Court. All question in that behalf are left open to be considered by the appropriate bench.

3. Petition disposed of on the above terms.